

Name _____

WHO SHOULD HEAR THE CASE?

Directions: Read the facts about each case then briefly describe the issue, whether it would be in State Court, Federal Court, or both, and then your reasoning for that decision.

Case	Issue	State, Federal, or Both	Reasoning
Gideon v. Wainwright			
Bell v. Burson			
The Scotia			
United States v. General Dynamics Corporation			
Illinois v. Wardlow			
Orr v. Orr			
McPherson v. Buick Motor Company			
Lucy v. Zehmer			
New Jersey v. New York			

GIDEON V. WAINWRIGHT

The defendant, Clarence Earl Gideon, was alleged to have broken into a pool hall with the intent to commit a misdemeanor once inside. This led to his being charged with the felony of breaking and entering. He was subsequently arrested, tried, convicted and sentenced to a prison term of five years. However, Gideon was also indigent (without funds) and was not able to afford an attorney. He asked the trial judge to assign him an attorney for free saying that such action was required by the Sixth Amendment to the U.S. Constitution. The trial judge, however, stated that the Sixth Amendment did not require such action to be taken in this case and denied his request.

BELL V. BURSON

A Georgia law stated that uninsured motorists who were involved in an accident would automatically have their licenses suspended. The law did not provide an opportunity for a hearing to determine whether or not the uninsured motorist was at fault before suspending his/her license. Paul Bell was an uninsured motorist whose license was suspended when he was involved in an accident. He claimed that he was not at fault and argued that the law in question violated his constitutional rights by depriving him of his license without due process of law. In this context, due process of law basically means “fair play” – i.e. fairness would demand that his license not be suspended until he was given the opportunity to be heard and present his side of the story. The trial court said his constitutional rights were not violated.

THE SCOTIA

In the early 1800's, an American sailing vessel, the Berkshire, and a British sailing vessel, the Scotia, collided on the high seas. The owners of the Berkshire claimed that the Scotia was at fault and sought indemnification (payments for losses) from the owners of the Scotia. The British owners sued in an American court. The owners of the Scotia countered that the Berkshire was responsible for the collision because it failed to adhere to generally accepted principles of international law that require ships to alert others of their position. Since this case involves issues arising on the high seas and between ships, it is an admiralty case.

UNITED STATES V. GENERAL DYNAMICS CORPORATION (FEDERAL)

Monopolies arise when a company dominates the market in its industry. Due to various laws, most monopolies have been outlawed in the United States. One law goes further than simply outlawing monopolies, it also prohibits mergers when the effect of such an action would be to “substantially lessen competition” (allow the merging companies to gain a monopoly in their line of business). However, the law in question failed to define the term “substantially lessen competition.” When two companies, each controlling a substantial portion of the coal industry, decided to merge, the government intervened and sued in court to prevent the merger. The government argued that the merger violated the law because the merged firm would control an “undue percentage share” of the relevant market, and the merger resulted in a significant increase “in concentration in the relevant market.” General Dynamics countered that the effects of the merger had to be viewed within the context of the industry, not from some objective standard. Thus, the merger would not be illegal because the context of the industry would show that the merger was justified and did not “substantially lessen competition.”

ILLINOIS V. WARDLOW

Sam Wardlow lived in the city of Chicago. Due to large-scale drug trafficking, the area where he lived was regarded by the police as a high-crime area. While walking one day, Wardlow saw two police officers who were engaged in a raid in the local neighborhood. When he did, he dropped a bag he was holding and fled. The police chased after him, and, upon catching him, frisked him and found an unregistered handgun. He was charged with carrying an unregistered handgun and brought to trial. At his trial, he argued that the frisk violated his Fourth Amendment right against “unreasonable searches and seizures” since the police never had any suspicion that he engaged in any illegal activity. The police countered that his flight gave them the necessary level of suspicion for purposes of allowing them to frisk him for weapons.

ORR V. ORR

An Alabama divorce law only permitted alimony orders (court orders mandating the payment of support to a former spouse) to be entered against males; meaning only former wives could receive alimony payments. After a divorce suit, a court ordered a former husband to pay alimony to his ex-wife. When he refused to do so, the ex-wife sued to have the alimony enforced. At this point, the man claimed that the law requiring only males to make alimony payments violated the “equal protection” clause of the U.S. Constitution, because men with financial hardships would not be able to receive alimony awards.

MCPHERSON V. BUICK MOTOR COMPANY

This is an example of a case involving tort law (torts are cases that deal with injuries occurring between two private parties). This case arose out of an injury that Donald C. McPherson sustained from a car manufactured by Buick Motors Company. He sought monetary damages to compensate him for his injury. However, Buick Motors Company claimed that it did not intend to injure McPherson, and it did not sell the defective car directly to him. The company sold the car to a retailer who in turn sold it to McPherson. Buick Motors argued that it could not be held liable under any existing system of tort law because it neither committed an “intentional tort” nor did it commit a tort of “negligence” since there was no causation (direct interaction) between the company and McPherson. On appeal, McPherson argued that the court should use its common law powers to hold manufacturers responsible for defective products they produce regardless of their intent to harm or the causation between the parties. The appellate court agreed.

LUCY V. ZEHMER

This case involves contract law. For courts to find contracts binding, six elements must be present. One of these elements is called an offer, meaning someone offers to do, or refrain from doing, something – i.e. an offer to sell a house. For an offer to be made, the person making the offer must intend to make it. Some courts use a “reasonable person” standard to determine whether an offer was made. The reasonable person standard asks whether or not a reasonable person would assume that the person making the offer had an intent to enter into a contractual relationship. In this case, two people, W.O. Lucy and A.H. Zehmer, had a few drinks together. Over the course of the evening, Lucy made an offer to buy Zehmer’s farm. Zehmer accepted the offer, and Lucy made the necessary legal and financial arrangements. Regretting what he had done, Zehmer tried to back out of the contract saying he had not accepted Lucy’s offer because he thought that Lucy had made it in jest. Lucy countered that he had made a reasonable offer for the property. He said that although they were drinking at the time, Zehmer did not appear to be intoxicated when the offer was made; therefore, Lucy took him at his word. Further, since Lucy had already made several provisions concerning the sale, he would not let Zehmer back out. The parties went to court to determine whether an offer actually existed. The court found that Lucy had made a legitimate offer that Zehmer had accepted.

NEW JERSEY V. NEW YORK

Part of the boundary between the states of New York and New Jersey runs along Ellis Island (an island off the shore of Manhattan). When new land formed near the island due to accretion (steady buildup of sediments and deposited soil), both New York and New Jersey laid claim to it. When the states failed to reach a satisfactory agreement as to which state owned the new land, the states brought the matter to court.

WHO SHOULD HEAR THE CASE?

Directions: Read the facts about each case then briefly describe the issue, whether it would be in State Court, Federal Court, or both, and then your reasoning for that decision.

Case	Issue	State, Federal, or Both	Reasoning
Gideon v. Wainwright	Does an arrested person get a free lawyer?	State & Federal	Since the due process clause of the Fourteenth Amendment was used to incorporate many provisions of the Bill of Rights to the states, Gideon argued that the state trial court's denial of his petition for an attorney violated his Sixth Amendment right to the assistance of counsel for his defense. The state trial court ruled against Gideon and found no violation of the Sixth Amendment. Since a state court ruled on an issue of federal law, this allowed the U.S. Supreme Court to review the case and the Supreme Court sided with Gideon.
Bell v. Burson	Should uninsured motorists who are not at fault be punished?	State & Federal	The text of the Fourteenth Amendment states that no state shall deprive a person of life, liberty or property without due process of law. Since the Georgia courts interpreted this constitutional provision by holding that Bell's due process rights were not violated, they subjected themselves to review by the U.S. Supreme Court. The U.S. Supreme Court ultimately sided with Bell.
The Scotia	Who pays for a Collision among ships at sea?	Federal Court	The Constitution gives the federal courts exclusive jurisdiction over admiralty cases. Therefore, the federal courts had jurisdiction over this case. The U.S. Supreme Court found that since the Berkshire failed to adhere to applicable standards of international law designed to avoid collisions, the owners of the Scotia would not have to indemnify the owners of the Berkshire for any losses that it sustained.
United States v. General Dynamics Corporation	Should 2 massive companies be allowed to merge?	Federal Court	Federal courts preempt the state courts in matters of anti-trust law. As a result, the federal courts usually hear anti-trust cases. Most anti-trust cases are brought under federal statutes such as the Sherman Anti-Trust Act or the Clayton Act. In this case, the U.S. Supreme Court sided with General Dynamics Corporation and stated that the Clayton Act does not prevent mergers between two or more companies that control large portions of a market if their intention is not to "substantially limit competition."
Illinois v. Wardlow	Is running when seeing the police grounds for search & seizure?	State & Federal	Since the trial court ruled on a matter of federal law, the U.S. Supreme Court could review the case. What is unique in this case is that Wardlow won on appeal in the state courts. Both the Illinois Court of Appeals and the Illinois Supreme Court reversed the trial court and held that Wardlow's Fourth Amendment rights had been violated. Since these courts interpreted the U.S. Constitution, their interpretations were still subject to ultimate review by the U.S. Supreme Court. The State of Illinois appealed to the Supreme Court and claimed that the Illinois appellate courts erred in their interpretation of the Fourth Amendment. The Supreme Court heard the case and overruled the Illinois appellate courts. It held that flight from the police does satisfy the Fourth Amendment's "reasonableness" requirements with regard to conducting a frisk for a weapon.

Orr v. Orr	Should there be alimony for a man after a divorce?	State & Federal	Since the state courts in Alabama interpreted the federal Constitution, they subjected themselves to review by the U.S. Supreme Court. The U.S. Supreme Court agreed with the ex-husband in this case and said that alimony laws requiring only males to pay alimony violated the Fourteenth Amendment's equal protection clause.
McPherson v. Buick Motor Company	Who is responsible for damages for an injury from a car?	State Court	Torts are a matter that the U.S. Constitution reserves to the state courts. The federal courts have no such right with regard to their power to hear cases involving federal questions. This case is well known because it established the principle in tort law of allowing manufacturers to be held responsible for their defective products even in the absence of intent to cause harm or causation. This is known as the principle of "strict-liability."
Lucy v. Zehmer	Is a contract between 2 drunk people binding?	State Court	Contract law is another area that is left primarily to states. Since the subject of the contract in this case involves a subject, real property, which is another prerogative of the states, the state courts would certainly have jurisdiction over this case. Occasionally, federal courts also have jurisdiction over cases involving contracts when one of the parties to the contract is the federal government.
New Jersey v. New York	What is the boundary between NY & NJ?	Federal Court	Legal cases arising between two or more states are always heard in the federal court system, and the U.S. Supreme Court has original jurisdiction over these cases. This means that the U.S. Supreme Court is the only federal court that may hear them